

12-0655M

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LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JUL 10 2012

U.S. DISTRICT COURT E.D.N.Y.

IN CLERK'S OFFICE

FILED

AFFIDAVIT AND COMPLAINT
IN SUPPORT OF AN ARREST
WARRANT

UNITED STATES OF AMERICA

- against -

STEVEN NAVA,

Defendant.

(21 U.S.C. § 846)

EASTERN DISTRICT OF NEW YORK, SS:

GERARD J. RICCIARDI, being duly sworn, deposes and states that he is a Special Agent with the Internal Revenue Service ("IRS"), duly appointed according to law and acting as such.

Upon information and belief, on or about and between January 2009 and February 2012, within the Eastern District of New York and elsewhere, the defendant STEVEN NAVA, together with others, did knowingly and intentionally distribute a controlled substance, which offense involved a substance containing oxycodone, a Schedule II controlled substance.

(Title 21, United States Code, Sections 846 and 841(a)(1)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

1. I have been a Special Agent with the IRS for approximately twenty-one years and have been assigned to the Drug

^{1/} Because the purpose of this affidavit is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

Enforcement Administration Task Force for approximately four years. My information in this case comes from interviews, conversations with witnesses and other law enforcement officers, and my own participation in this investigation.

2. The DEA Task Force to which I am assigned is currently investigating the illegal distribution of pills and tablets containing oxycodone, a Schedule II controlled substance. "Oxycodone" is the generic name for an opioid analgesic medication synthesized from opium-derived thebaine. "Roxicodone" is a generic oxycodone product designed to have an immediate release effect for rapid pain relief. Oxycodone has a serious potential for abuse. Drug abusers crush the protective coating on the pill and, snort, ingest or inject it, thereby obtaining all of the drugs potency at one time. Oxycodone used in this fashion produces a heroin-like euphoria. Oxycodone is a highly addictive drug.

3. On July 10, 2012, I interviewed an individual hereinafter described as John Doe #1 (JD #1) in connection with an oxycodone distribution ring operating in the Lake Ronkonkoma, New York area. JD #1 was arrested in January 2010.^{2/} JD #1 advised that s/he and others, including defendant NAVA, were obtaining prescriptions for oxycodone from medical doctors, filling the prescriptions and selling the oxycodone pills to drug users in street level sales. JD # 1 advised that s/he, defendant NAVA and the others would share information about doctors from whom it was

^{2/} I believe that CW #1 is reliable as information s/he has provided about the defendant has been independently corroborated by other information learned during the investigation.

"easy" to obtain prescriptions and share pills with each other to sell to customers when they were "low" on pills. Finally, JD #1 advised that s/he and defendant NAVA generally sold oxycodone pills to the same customers.

4. On June 15, 2012, I interviewed an individual hereinafter described as John Doe #2 (JD #2) also in connection with the oxycodone distribution ring operating in the Lake Ronkonkoma, New York area. JD #2 was arrested in February 2012 in possession of oxycodone pills.^{3/} JD #2 advised that s/he and others, including defendant NAVA, were obtaining prescriptions for oxycodone from medical doctors, filling the prescriptions and selling the oxycodone pills to drug users in street level sales. Moreover, JD #2 advised that s/he personally sold oxycodone pills to defendant NAVA, on a regular basis between 2010 and 2011. Finally, JD # 2 advised that defendant NAVA told him/her about a specific doctor from whom it was "easy" to obtain prescriptions for oxycodone.

5. I have reviewed the Bureau of Narcotics Enforcement database and determined that between March 2010 and February 2012, defendant NAVA obtained 53 prescriptions for oxycodone, totaling approximately 7,335 oxycodone pills.

^{3/} I believe that CW #2 is reliable as information s/he has provided about the defendants has been independently corroborated by other information learned during the investigation.

WHEREFORE, your deponent respectfully requests that an arrest warrant be issued for defendant STEVEN NAVA so that he be dealt with according to law.



Gerard J. Ricciardi
Special Agent - IRS/DEA

Sworn to before me this
10th day of July, 2012

THE HONORABLE WILLIAM D. WALL
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK